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## NOTICE OF ALLOWANCE AND FEE(S) DUE

52349

7590

09/03/2009

WENDEROTH, LIND & PONACK L.L.P.  
1030 15th Street, N.W.  
Suite 400 East  
Washington, DC 20005-1503

EXAMINER

POND, ROBERT M

ART UNIT

PAPER NUMBER

3625

DATE MAILED: 09/03/2009

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/073,204	02/13/2002	Takaaki Nambu	2002, 0230A	5300

TITLE OF INVENTION: CONTENT DISTRIBUTION MANAGEMENT SYSTEM AND CONTENT DISTRIBUTION MANAGEMENT METHOD

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1510	\$300	\$0	\$1810	12/03/2009

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. **PROSECUTION ON THE MERITS IS CLOSED.** THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN **THREE MONTHS** FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. **THIS STATUTORY PERIOD CANNOT BE EXTENDED.** SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

## HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

**IMPORTANT REMINDER:** Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

# **PART B - FEE(S) TRANSMITTAL**

**Complete and send this form, together with applicable fee(s), to:** Mail **Mail Stop ISSUE FEE**  
**Commissioner for Patents**  
**P.O. Box 1450**  
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**or Fax** **(571)-273-2885**

**INSTRUCTIONS:** This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

52349 7590 09/03/2009

**WENDEROTH, LIND & PONACK L.L.P.**  
**1030 15th Street, N.W.**  
**Suite 400 East**  
**Washington, DC 20005-1503**

## **Certificate of Mailing or Transmission**

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/073,204 02/13/2002

Takaaki Nambu

2002, 0230A

5300

**TITLE OF INVENTION: CONTENT DISTRIBUTION MANAGEMENT SYSTEM AND CONTENT DISTRIBUTION MANAGEMENT METHOD**

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1510	\$300	\$0	\$1810	12/03/2009

EXAMINER	ART UNIT	CLASS-SUBCLASS
POND, ROBERT M	3625	705-027000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.  
☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a **Customer Number is required.**

2. For printing on the patent front page, list

- (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, 1 \_\_\_\_\_  
(2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed. 2 \_\_\_\_\_  
3 \_\_\_\_\_

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☐ Corporation or other private group entity ☐ Government

4a. The following fee(s) are submitted:

- ☐ Issue Fee  
☐ Publication Fee (No small entity discount permitted)  
☐ Advance Order - # of Copies \_\_\_\_\_

4b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above)

- ☐ A check is enclosed.  
☐ Payment by credit card. Form PTO-2038 is attached.  
☐ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number \_\_\_\_\_ (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature \_\_\_\_\_ Date \_\_\_\_\_  
Typed or printed name \_\_\_\_\_ Registration No. \_\_\_\_\_

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/073,204

02/13/2002

Takaaki Namba

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EXAMINER

POND, ROBERT M

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DATE MAILED: 09/03/2009

WENDEROTH, LIND & PONACK L.L.P.  
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## Determination of Patent Term Adjustment under 35 U.S.C. 154 (b) (application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 390 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 390 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

**Notice of Allowability****Application No.**

10/073,204

**Applicant(s)**

NAMBA ET AL.

**Examiner**

Robert M. Pond

**Art Unit**

3625

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendment (5/20/09); Interviews (2009082809, 20090717); Ex. Amdt (20090716).
2. ☒ The allowed claim(s) is/are 48-52.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☒ All b) ☐ Some\* c) ☐ None of the:  
1. ☒ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.  
(a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached  
1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.  
(b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.  
**Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),  
Paper No./Mail Date 20090828-20090717.
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_.

/Robert M. Pond/  
Primary Examiner, Art Unit 3625

### **EXAMINER'S AMENDMENT**

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

#### ***Authorization***

Authorization for this examiner's amendment was given in a telephone interview with Mr. Mark Pratt # on 28 August 2009.

#### ***Claims Allowed***

Claims 48-52 entered 20 May 2009 are allowed. Claims 1-47 are canceled.

#### ***In the Claims***

Delete claims 48-52 in their entirety and insert therefore:

- 48. A content distribution management system that circulates a content via a network that includes a plurality of communication terminal devices that exchange the content on the network, a distribution management device that performs copyright management of the content and payment management concerning usage of the content, and a communication exchange device that

provides information regarding the circulation of the content to the communication terminal device, the system comprising:

at least one communication terminal device that includes:

a content receiving unit that receives a content from another communication terminal device, the content being one of a primary circulated content and a secondary circulated content;

a content acquisition processing unit that sends, to said distribution management device, purchase requesting information requesting purchase of the received content;

a content storage processing unit that receives, from the distribution management device, rights information for enabling, under a certain rule, usage of the content which is requested to be purchased;

said content acquisition processing unit that also sends information regarding a search to the communication exchange device, receives result information regarding a predetermined search item from the communication exchange device, and specifies a content and a communication terminal device which is a distributor of the content based on the received result information, and sends, to the specified communication terminal device which is the distributor of the content, information for requesting the sending of the specified content;

said content storage processing unit that also uses the content which is requested to be purchased according to the rights information

received by the rights information receiving unit; and sends, to the distribution management device, a rule registration request for requesting registration of a usage rule of one of the primary circulated content and the secondary circulated content, which is to be distributed; and a sending unit that sends the content received by the content receiving unit to another communication terminal device,

wherein said content acquisition processing unit sends a search condition to the communication exchange device, receives a predetermined search list from the communication exchange device, weights an attribute information indicating a characteristic of each of the content which is attached to the received search list, compares the content based on the attribute information, and specifies a most weighted content and a communication terminal device which is a distributor of the most weighted content, and specifies one of said communication terminal device that requests the sending of content and said another communication terminal device as a destination of the specified content, and sends the requesting information to the specified communication terminal device, and

wherein said content storage processing unit further includes a usage request processing unit that sends usage requesting information for requesting usage of a purchased content to the distribution management device, and receive usage licensing information for licensing the usage

from the distribution management device, and said content storage processing unit uses the content based on the usage licensing information;

the communication exchange device includes:

a search responding unit that receives the information regarding the search from a communication terminal device, determines the result information regarding the search based on the received information, and sends the result information to the communication terminal device sending the information regarding the search; and

the distribution management device includes:

a memory unit that stores information regarding copyright management information and payment management information such that the copyright management information and the payment management information are associated with individual content, the copyright management information including a number of rights representing how many times the content is usable under a certain rule, and the payment management information including payment information indicating one of a payment amount for each of the rights that are purchased and information indicating that the rights are not purchased;

a rights information sending unit that specifies rights information according to one of the purchase requesting information received by the communication terminal device and the copyright management



information that is specified based on the rule registration request, and sends the specified rights information to a predetermined communication terminal device; and

a payment management processing unit that updates the copyright management information and the payment management information based on one of the purchase requesting information and the rule registration request,

wherein the updating is performed by decreasing, by a number of rights which are purchased, the number of the rights in the memory unit regarding the content for which the purchase requesting information is sent, and registering, in the memory unit, payment information indicating the number of the rights which are purchased and the information indicating that the rights are not purchased, when the purchased content which is purchased according to the purchase requesting information, and the purchase requesting information is received from the communication terminal device, and the updating is performed by updating the payment information in the memory unit regarding the content for which the rule registration request is sent, from the information indicating that the rights are not purchased, to the payment amount for each of the rights, when the rule registration request is received from the communication terminal device.- -

- 49. A distribution management device used in a content distribution management system that circulates a content via a computer network, said content distribution management system including a plurality of communication terminal devices that exchange the content on the network, a distribution management device that performs copyright management of the content and payment management concerning usage of the content, and a communication exchange device that provides information regarding the circulation of the content to the communication terminal device,

the distribution management device comprising:

a memory unit that stores copyright management information and payment management information such that the copyright management information and the payment management information are associated with individual content, the copyright management information including a number of rights representing how many times the content is usable under a certain rule, and the payment management information including payment information indicating one of a payment amount for each of the rights that the rights are purchased and information indicating when rights are not purchased;

a rights information sending unit that specifies rights information according to one of (i) purchase requesting information received by the communication terminal device, the purchase request information requesting purchase of one of a primary circulated content and a

secondary circulated content and (ii) the copyright management information that is specified based on a rule registration request indicating a usage rule of the one of the primary circulated content and the secondary circulated content, and sends the specified rights information to a predetermined communication terminal device; and

a payment management processing unit that updates the copyright management information and the payment management information based on one of the purchase requesting information and the rule registration request,

wherein the updating is performed by decreasing, by a number of rights which are purchased, the number of the rights in the memory unit regarding the content for which the purchase requesting information is sent, and registering, in the memory unit, payment information indicating the number of the rights which are purchased and the information indicating that the rights are not purchased, when the purchased content which is purchased according to the purchase requesting information, and the purchase requesting information is received from the communication terminal device, and

wherein the updating is performed by updating the payment information in the memory unit regarding the one of the primary circulated content and the secondary circulated content for which the rule registration request is sent, from the information indicating that the rights

are not purchased, to the payment amount for each of the rights, when the rule registration request is received from the communication terminal device.- -

- -50. A communication terminal device used in a content distribution management system that circulates a content via a computer network, said content distribution management system including a plurality of the communication terminal devices that exchange the content on the network, a distribution management device that performs copyright management of the content and payment management concerning usage of the content, and a communication exchange device that provides information regarding the circulation of the content to the communication terminal device,

the communication terminal device comprising:

a content receiving unit that receives a content from another communication terminal device, the content being one of a primary circulated content and a secondary circulated content;

a content acquisition processing unit that sends purchase requesting information for requesting purchase of the received content to the distribution management device;

a content storage processing unit that receives, from the distribution management device, rights information for enabling, under a certain rule, usage of the content which is requested to be purchased;

said content acquisition processing unit that also sends information regarding a search to, the communication exchange device, receive result information regarding a predetermined search item from the communication exchange device, and specifies a content and a communication terminal device which is a distributor of the content based on the received result information; and sends, to the specified communication terminal device which is the distributor of the content, requesting information for requesting the sending of the specified content;

said content storage processing unit that uses the content which is requested to be purchased according to the rights information received by the rights information receiving unit; and sends, to the distribution management device, a rule registration request for requesting registration of a usage rule of one of the primary circulated content and the secondary circulated content which is to be distributed; and

a sending unit that sends the content received by the content receiving unit to another communication terminal device,

wherein said content acquisition processing unit sends a search condition to the communication exchange device, receive a predetermined search list from the communication exchange device, weights an attribute information indicating a characteristic of each of the content which is attached to the received search list, compares the content based on the attribute information, and specifies a most weighted content and a

communication terminal device which is a distributor of the most weighted content, and

wherein said content acquisition processing unit specifies one of a communication terminal device making the request to send content and another communication terminal device as a destination of the specified content, and sends the sending requesting information to the specified device, and the content using unit further includes a usage request processing unit that sends usage requesting information for requesting usage of a purchased content to the distribution management device, and receives usage licensing information for licensing the usage from the distribution management device, and the content using unit uses the content based on the usage licensing information.- -

- 51. A content distribution management method managing distribution of a content, the method used in a content distribution management system that circulates the content via a computer network, and said content distribution management system including a plurality of communication terminal devices that exchange the content on the network, a distribution management device that performs copyright management of the content and payment management concerning usage of the content, and a communication exchange device that provides information regarding the circulation of the content to the communication terminal device, the distribution management device including a memory unit that stores copyright management information and payment

management information such that the copyright management information and payment management information are associated with individual content, the copyright management information including a number of rights representing how many times the content is usable under a certain rule, and the information regarding the payment management including payment information indicating one of a payment amount for each of the rights that the rights that are purchased and information indicating that the rights are not purchased, the method comprising:

- by a communication terminal device:

- receiving a first content from, the content being one of a primary circulated content and a secondary circulated content;

- sending purchase requesting information for requesting purchase of the first content received, the purchase requesting information being sent to the distribution management device;

- receiving, from the distribution management device, rights information for enabling, under a certain rule, usage of the first content which is requested to be purchased;

- sending information regarding a search to the communication exchange device, receiving result information regarding a predetermined search item from the communication exchange device, and specifying a second content and a communication terminal device which is a distributor of the second content based on the received result information; and

sending, to the specified communication terminal device which is the distributor of the specified content, requesting information for requesting sending of the specified second content;

using the first content which is requested to be purchased according to the rights information received in the receiving of the rights information;

sending, to the distribution management device, a rule registration request for requesting registration of a usage rule of one of a primary circulated content and a secondary circulated content, which is to be distributed; and

sending the first content received in the receiving of the first content to another communication terminal device,

wherein the sending of the information regarding the search, the receiving of the result information, and the specifying the second content and the distributor of the second content are performed by sending a search condition to the communication exchange device, receiving a predetermined search list from the communication exchange device, weighting an attribute information indicating a characteristic of each of the content which is attached to the received search list, comparing the content based on the attribute information, and specifying a most weighted content and a communication terminal device which is a distributor of the most weighted content, and



wherein the sending of the requesting information is performed by specifying one of a communication terminal device making the request and a communication terminal device as a destination of the specified content, and sending the requesting information to the specified communication terminal device, and the using of the first content further includes sending usage requesting information for requesting usage of a purchased first content to the distribution management device, receiving usage licensing information for licensing the usage from the distribution management device, and using the first content based on the usage licensing information;

by the communication exchange device:

receiving the information regarding the search from the communication terminal device, making the result information regarding the search based on the received information, and sending the result information to the communication terminal device that is the sender of the information regarding the search; and

by the distribution management device:

specifying rights information according to one of the purchase requesting information received by the communication terminal device and the copyright management information that is specified based on the rule registration request, and sending the specified rights information to a predetermined communication terminal device; and

updating the copyright management information and the payment management information based on one of the purchase requesting information and the rule registration request,

wherein the updating is performed by decreasing, by a number of rights which are purchased, the number of the rights in the memory unit regarding the first content for which the purchase requesting information is sent, and registering, in the memory unit, payment information indicating the number of the rights which are purchased and the information indicating that the rights are not purchased, when the purchased first content which is purchased according to the purchase requesting information, and the purchase requesting information is received from the communication terminal device, and

the updating is performed by updating the payment information in the memory unit regarding the first content for which the rule registration request is sent, from the information indicating that the rights are not purchased, to the payment amount for each of the rights, when the rule registration request is received from the communication terminal device.- -

- 52. A distribution management method managing content distribution, the method being used in a distribution management device in a content distribution management system that circulates a content via a computer network, said content distribution management system including a plurality of communication terminal devices that exchange the content on the network, the distribution

management device that performs copyright management of the content and payment management concerning usage of the content, and a communication exchange device that provides information regarding the circulation of the content to the communication terminal device, the distribution management device including a memory unit that stores copyright management information and payment management information such that the copyright management information and the payment management information are associated with individual content, the copyright management information including a number of rights representing how many times the content is usable under a certain rule, and the payment management information including payment information indicating one of a payment amount for each of the rights that the rights indicated by the number of the rights are purchased and information indicating that the rights are not purchased, the method comprising:

by the distribution management device:

specifying rights information according to one of (i) purchase requesting information received by the communication terminal device, the purchase request information requesting purchase of one of a primary circulated content and a secondary circulated content and (ii) the copyright management information that is specified based on a rule registration request indicating a usage rule of the one of the primary circulated content and the secondary circulated content, and sending the specified rights information to a predetermined communication terminal device; and

updating the information regarding the copyright management information and the payment management information based on one of the purchase requesting information and the rule registration request,

wherein the updating is performed by decreasing, by a number of rights which are purchased, the number of the rights in the memory unit regarding the content for which the purchase requesting information is sent, and registering, in the memory unit, payment information indicating the number of the rights which are purchased and the information indicating that the rights are not purchased, when the purchased content which is purchased according to the purchase requesting information, and the purchase requesting information is received from the communication terminal device, and

the updating is performed by updating the payment information in the memory unit regarding the one of the primary circulated content and the secondary circulated content for which the rule registration request is sent, from the information indicating that the rights are not purchased, to the payment amount for each of the rights, when the rule registration request is received from the communication terminal device.- -

### **EXAMINER'S COMMENTS**

#### **Closest US Patent/US Patent Publication Prior Art**

Neither the previously cited prior art nor closest prior art Ginter (Paper #20070705, US 5,910,987) alone or in combination with other prior art teach and suggest the combinations of methods as claimed.

Forward and backward citations of Ginter failed to produce closer prior art than Ginter.

#### **Closest Non-Patent Literature Prior Art**

Neither the previously cited prior art nor closest NPL prior art Von Faber ("The Secure Distribution of Digital Contents," IDS entered 12 January 2004, Item AO) alone or in combination with other prior art teach and suggest the combinations of methods as claimed.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert M. Pond whose telephone number is 571-272-6760. The examiner can normally be reached on 8:30AM-5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Jeff Smith can be reached on 571-272-6763. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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